

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

LEVI HUEBNER on behalf of himself and
all other similarly situated consumers,

Plaintiff,

-against-

MIDLAND CREDIT MANAGEMENT,
INC. and MIDLAND FUNDING LLC,

Defendants.

CASE NO. 1:14-cv-06046-BMC

**AMENDED NOTICE OF MOTION FOR
SUMMARY JUDGMENT – ORAL
ARGUMENT REQUESTED**

PLEASE TAKE NOTICE that upon the annexed declaration of Matthew B. Johnson, the attached exhibits, Defendants' Local Rule 56.1 Statement of Uncontested Material Facts, Defendants' Memorandum of Law, and the pleadings of record, Defendants Midland Credit Management, Inc. and Midland Funding LLC (together, "Midland") moves this Court for an Order pursuant to Fed. R. Civ. P. 56 granting summary judgment to Midland dismissing Plaintiff's claims against it with prejudice. Midland respectfully requests oral argument of this motion because it will aid the Court in its decisional process.

Dated: New York, New York
January 22, 2015

**MARSHALL DENNEHEY WARNER
COLEMAN & GOGGIN**

By: /s/ Matthew B. Johnson
Matthew B. Johnson (MJ 1622)
Attorneys for Defendants Midland Credit
Management, Inc. and Midland Funding LLC
88 Pine Street, 21st Floor
New York, New York 10005
(212) 376-6433
MBJohnson@mdwgcg.com

